

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

United States District Court
Southern District of Texas
FILED

JUN - 6 2001

Michael N. Milby, Clerk
Laredo Division

JUAN IGNACIO CUENTAS GUTIERREZ, \$
\$
Petitioner, \$
\$
vs. \$
\$
UNITED STATES OF AMERICA, \$
\$
Respondent. \$
\$
\$

Criminal No. L-99-4336-M-01

Cause No. 5:00-CR-00033-001 ✓

L-00-CV-81

MOTION REQUESTING LEAVE OF COURT
TO FILE A SUPPLEMENTAL BRIEF
TO HIS MOTION TO VACATE, SET-ADIDE, OR CORRECT
HIS SENTENCE, PURSUANT TO TITLE 28, U.S.C.
§ 2255

NOW COMES, Juan Ignacio Cuentas, proceeding pro se and respectfully moves this Honorable Court for leave to file a supplemental brief, after receiving the records detailed below, so that he may show just cause in his § 2255 motion.

In support of this motion, the Petitioner respectfully states that on April 16, 2001, the Petitioner requested from the Clerk of the United States District Court for the Southern District of Texas, Laredo Division, his sentencing and plea hearing transcripts in order to gather information to file his memorandum brief in support of his § 2255 motion. (See copy enclosed)

Presently, The Petitioner is awaiting the arrival of the transcripts in order to file an accurate memorandum brief to support the Petitioner's § 2255 motion. In fact, Petitioner explained in his request for the transcripts that he was needing the documents promptly due to the time limitation on filing his § 2255 motion.

Moreover, Petitioner's wife personally went to the U.S. District Court Clerk's office and requested for such transcripts on the Petitioner's behalf without success. The clerk explained that they were waiting for the transcript tapes to be transcribed.

Wherefore, the Petitioner respectfully request leave to file a supplemental brief out-of-time in order to allow him to gather all the information contained in the said transcripts.

Respectfully submitted,

Juan Ignacio Cuentas
Reg. No. 90599-079
P. O. Box 7000
Texarkana, Texas
75505-7000

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and correct copy of the foregoing motion has been served by U.S. Mail, postage prepaid to: Dixie Morrow, Assitant United States Attorney, 1501 Matamoros Street, Laredo, Texas 78040.

Executed this 28 day of MAY, 2001.

Signed,

Juan Ignacio Cuentas Jr.
Juan Ignacio Cuentas